UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK	X	DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 02/05/2025
ROBERT LEE MURRAY, also known as Leviticus Lucifer	: : :	
Plaintiff,	: :	21-cv-6718 (LJL)
-V-	:	<u>ORDER</u>
CITY OF NEW YORK et al.,	:	
Defendants.	: X	

LEWIS J. LIMAN, United States District Judge:

Defendant City of New York (the "City") moves for all pending deadlines in this matter to be held in abeyance until March 5, 2025, to allow the City to amend its *Valentin* response.

Dkt. No. 122. The motion is granted, on consent and for good cause shown.

The reason for the request is that Defendant's previous *Valentin* response identified certain officers based on the assumption that Plaintiff arrived at Anna M. Kross Center on November 14, but further investigation has revealed that he in fact arrived on November 13. *Id.* The city has now located video footage involving a search of Plaintiff, which shows that only one of the officers identified in its original *Valentin* response participated in such search. *Id.* The City now seeks to amend its *Valentin* response to include the following individuals:

- Captain Cossette Christian, Shield #1756 (Active)
- Correction Officer Gary Davis, Shield #5658 (Resigned)
- Correction Officer Jose Ortiz, Shield #9124 (Active)
- Correction Officer Micah Brown, Shield #3042 (Resigned)

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The City seeks additional time to identify one remaining individual. Plaintiff consents to the City's request. *Id.* The motion is granted.

The new deadlines in this matter shall be as follows:

- 1) By March 5, 2025, the City will provide Plaintiff a copy of its amended *Valentin* response identifying the names of all relevant defendants.
- 2) By April 4, 2025, Plaintiff shall file a Third Amended Complaint. The Third Amended Complaint shall contain the names of the individual defendants in the caption, and in the body of the complaint the Plaintiff will identify as best as possible which defendants participated in which events. The Third Amended Complaint shall not go beyond the events described in the Second Amended Complaint.
- 3) By May 5, 2025, the City shall either indicate that it is prepared to accept service on behalf of the individual defendants or shall provide Plaintiff with service addresses for the individual defendants. Because Plaintiff has paid the fee in this case and is not proceeding in forma pauperis, he is not entitled under 28 U.S.C. § 1915(d) to the assistance of the United States Marshal or court officers in making service. Accordingly, it will be Plaintiff's responsibility to serve any individual defendants for whom the City is not prepared to accept service.
- 4) Plaintiff will be required to complete service of all individual defendants by August 4, 2025 (the period of time that is 90 days after the last date on which Plaintiff will be given service addresses by the City for those individual defendants for whom the City will not accept service).

The status conference currently set for April 1, 2025, is rescheduled to May 14, 2025, at 2:00 p.m. Parties are directed to dial into the Court's new teleconference number at 646-453-

4442, use conference ID# 358639322, and follow the necessary prompts.

SO ORDERED.

Dated: February 5, 2025

New York, New York

LEWIS J. LIMAN

United States District Judge